#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicants** 

Mark S. Zeiner

Confirmation No: 8274

Serial No.

10/815,356

Art Unit: 3734

Filed

March 31, 2004

Examiner: Diane D. Yabut

For

IMPROVED TROCAR SEAL

Commissioner for Patents PO Box 1450 Alexandria, VA 22313

#### **INFORMATION DISCLOSURE STATEMENT**

#### Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information Disclosure Statement is
being filed either within three months of the filing date of the above-identified national
application (other than a continued prosecution application under §1.53(d)), within three months
of the date of entry into the national stage of the above identified application as set forth in
§1.491, or before the mailing date of a first Office Action on the merits of the above-identified
application, or before the mailing date of a first Office Action after the filing of a request for
continued examination under §1.114, no additional fee is required.

	In acco	rdance with §1.129(a),	his Information Di	sclosure	State	ment is being
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		Statement in Accordan	ce with §1.97(e) (a	ttached)	; or	
		Please charge Deposit	Account No. 10-07	50/	1	the fee of
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Action under	§1.113	or a Notice of Allowand	e under §1.311, or	an actio	n that	t otherwise closes
prosecution a	nd that i	t is accompanied by one	of:	·		
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		fee of \$180.00 as set f	orth in §1.17(p).			
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under \$1.3	11 but b	efore the payment of the	Issue Fee. Applica	ant(s) he	reby	petition(s) for
consideration	n of this	Information Disclosure	Statement, Include	ed are: S	Staten	nent in Accordance
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as follows:						
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which are 1	isted on	the attached Submission	Under MPEP 609	D.		
10/815,356			END5008C1P2			IDS

	] .	Attached a	re the	e following	non-publishe	ed pending	patent	application	ons which
may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.									
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Please charge any deficiency or credit any overpayment to Deposit Account No. END5008CIP2/VCM

Respectfully submitted,

Victor C. Moreno Reg. No. 40,732

Attorney for Applicants

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (513) 337-7158

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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U.S. Patent Document

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Application Number	10/815,356				
Filing Date	March 31, 2004				
First Named Inventor	Mark S.Zeiner				
Group Art Unit	3734				
Examiner Name	Diane D. Yabut				
Attorney Docket Number	END5008CIP2				

Examiner Initials	Cit e No	Kind Cod Number (if know	of Clied Deciment	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		3,504,699	Grise	04-07-1970	
		3,773,233	Souza	11-20-1973	
		4,436,519	O'Neill	03-13-1994	
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Examiner Cite Initials No.1		Office <sup>3</sup> Number <sup>4</sup> KindCode <sup>5</sup>	Applicant of Cited Document	mm-dd-yyyy	passages or relevant figures appear	Τ⁵	
		EP0568383	Ethicon Inc.	11-03-1993			
		WO 94/03232	C.R. Bard, Inc.	02-17-1994			
	<u> </u>	EP0339945	Adair	11-02-1998			

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<sup>1</sup> Unique citation designation number, 2 See attached Kinds of U.S. Patent Documents, 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 8 Applicant is to place a check mark here if English language Translation is attached.

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5,441,041

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Application Number	10/815,356				
Filing Date	March 31, 2004				
First Named Inventor	Mark S.Zeiner				
Group Art Unit	3734				
Examiner Name	Diane D. Yabut				
Attorney Docket Number	END5008CIP2				
	1				

**U.S. PATENT DOCUMENTS** U.S. Patent Document Date of Publication Pages, Columns, Lines, where relevant passages or Name of Patentee or Applicant Kind Code<sup>2</sup> Examiner Cit of Cited Document of Cited Document Initials relevant figures appear Number (if known) mm-dd-yyyy 5,209,737 Ritchart et al. 05-11-1993 5,211,634 Vaillancourt 05-18-1993 Hunsberger et al. 5,246,425 09-21-1993 5,300,033 04-05-1994 Miller 5,308,336 Hart et al. 05-03-1994 5,324,270 Kayan et al. 06-28-1994 5,342,315 Rowe et al. 08-30-1994 5,366,445 Haber et al. 11-22-1994 5,385,552 Haber et al. 01-31-1995

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Examiner Cite Initials No.1		Foreign Patent Document	Name of Patentee or	Date of Publication of Cited Document	Pages, Columns, Lines, where relevant	
		Office <sup>3</sup> Number <sup>4</sup> KindCode <sup>5</sup>	Applicant of Cited Document	mm-dd-yyyy	passages or relevant figures appear	Т <sup>6</sup>
		WO/ 0035529	Syntheon, LLC	06-22-2000		
		DE10100756	Universitaetsklinikum Freiburg	08-14-2002	_	
		WO2004/033004	Applied Medical	04-22-2004		

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First Named Inventor	Mark S.Zeiner					
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Attorney Docket Number	END5008CIP2					
	1					

	· · · · ·			U.S. PATENT DOCUMENTS		
Examiner Initials	Cit e No	U.S. Patent Document  Kind (  Number (if kr	Code <sup>2</sup> nown)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
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Application Number	10/815,356
Filing Date	March 31, 2004
First Named Inventor	Mark S.Zeiner
Group Art Unit	3734
Examiner Name	Diane D. Yabut
Attorney Docket Number	END5008CIP2

				U.S. PATENT D	OCUMENTS		
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Examiner Initials	Cit e No	e Number (if known)		of Citad	Name of Patentee or Applicant of Cited Document		Pages, Columns, Lines, where relevant passages or relevant figures appear
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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application Number	10/815,356
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First Named Inventor	Mark S.Zeiner
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Examiner Name	Diane D. Yabut
Attorney Docket Number	END5008CIP2

**U.S. PATENT DOCUMENTS U.S. Patent Document** Date of Publication Pages, Columns, Lines, Name of Patentee or Applicant Kind Code<sup>2</sup> Examiner Cit of Cited Document where relevant passages or of Cited Document Initials (if known) relevant figures appear Number mm-dd-yyyy Νo 2002/0007153 **A1** Wells et al. 01-17-2002 2002/0010425 Α1 Guo et al. 01-24-2002 В1 04-05-2002 6.352.520 Mizyazaki 2003/0060770 Wing et al. 03-27-2003 Α1 В1 6.569,120 Green et al. 05-27-2003 6,613,063 **B1** Hunsberger 09-02-2003 2003/0187397 **A1** Vitali 10-02-2003 6,685,630 **B2** Sauer et al. 02-03-2004 6,702,787 B2 Racenet et al. 03-09-2004 2004/0049173 Α1 White et al. 03-11-2004 2004/0064100 A1 Smith 04-01-2004 2004/0111060 **A1** Racenet et al. 06-10-2004 2004/0147949 Α1 Stellon et al. 07-29-2004 2004/0230161 Zeiner 11-18-2004

FOREIGN PATENT DOCUMENTS Foreign Patent Document Date of Publication Pages, Columns, Lines, Name of Patentee or of Cited Document where relevant passages or relevant Examiner Cite mm-dd-yyyy T Applicant of Cited Document figures appear Initials KindCode<sup>5</sup> Office<sup>3</sup> Number<sup>4</sup> No.1

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Page 1 of 1

ı	Confirmation Number	8274
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	Group Art Unit	3734
	Examiner Name	Diane D. Yabut
	Attorney Docket Number	END-5008CIP2

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			U.S. Pater	nt Document				
Examiner	Cite	Name of Patentee or Applicant		Kind Code <sup>2</sup>			Pages, Columns, Lir relevant passages o	
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Examiner	Cite	Name of Patentee or					ant figures appear	T <sup>6</sup>
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		European Search Report dated June 1, 2	2004, for cor	responding I	P applicati	on 04251	605.4	
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Signature	 Considered	

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#### **EUROPEAN SEARCH REPORT**

Application Number EP 04 25 1605

1	DOCUMENTS CONSIDER	ED TO BE RELEV	ANT			
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# ANNEX TO THE EUROPEAN SEARCH REPORT ON EUROPEAN PATENT APPLICATION NO.

EP 04 25 1605

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01-06-2004

Patent document cited in search report	ŧ	Publication date		Patent family member(s)	Publication date
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## **EUROPEAN SEARCH REPORT**

Application Number EP 04 25 6023

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Category	Citation of document with indic of relevant passages		Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.CI.7)
<b>x</b>	*	-08-30) - line 37; figures 1,2	1-3,5	A61B17/34
	* column 7, line 64 - * column 8, line 67 - figures 7-10 *			
ĸ.	US 5 603 702 A (SMITI 18 February 1997 (1997) * column 5, line 62 figures 1,10,11 * * column 6, line 51 * column 7, line 3 - * column 8, line 40	97-02-18) - column 6, line 4; - line 62; figure 2a * line 14; figure 5 *	1-3,5	
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	The present search report has I	been drawn up for all claims		
	Place of search	Date of completion of the search		Examiner
	Berlin	13 December 20		Ducreau, F
ξ Y:	CATEGORY OF CITED DOCUMENTS  particularly relevant if taken alone particularly relevant if combined with anot document of the same category	after the filing	document, but date ed in the applica	published on, or ation
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#### ANNEX TO THE EUROPEAN SEARCH REPORT ON EUROPEAN PATENT APPLICATION NO.

EP 04 25 6023

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13-12-2004

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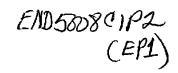
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